

Appendix D: Summary of Public Input to the Sudbury Reservoir Watershed System Public Access Plan Update 2002

The following is a summary of the comments received by the MDC/DWM in writing and in-person at the November 19, 2002 public hearing.

Public Comment: There are a large number of dogs walking in the area around Sudbury Reservoir. The suggestion was made to post large “No Dogs Allowed” signs on kiosks. The suggestion was also made to install signs in more than one language, with a message requesting the public to keep the area clean by taking their litter with them when they leave. It was also recommended to place signs that say ice-fishing is prohibited wherever fishing is allowed.

MDC Response: MDC agrees with the need for improved signs throughout the Sudbury System watershed area that identify allowed and prohibited uses and encourage users to be mindful of the environment in multiple languages. The Implementation chapter of the Plan Update has a specific section on signs.

Public Comment: Why not put up signs immediately regarding existing public access? Will there be any enforcement so that people pay attention to new signs?

MDC Response: *The MDC recognizes the immediate need for signs. However, due to limited resources, the agency is waiting for the adoption of the policies from this Plan Update prior to constructing and placing signs.*

Public Comment: Is the Wachusett Ranger program an effective model on which to base the Sudbury Ranger Program? How many enforcement actions have occurred in the past four years in both the Wachusett Reservoir and Sudbury System watersheds?

MDC Response: MDC has established a good enforcement record in the Wachusett Reservoir watershed. MDC Watershed Rangers patrol the area regularly, and State Police are called when necessary. Most issues, however, are rectified in the field. For example, in 2001 the Watershed Rangers made over 14,000 personal contacts with visitors; 5% of that total were for violating MDC regulations, and about 1/3 of the violations involved water contact (swimming or wading). Ultimately, only 30 – 40 cases (4% of violations, or just 0.25% of total contacts) end up in court each year. The media is also used to alert the public to significant problems, such as ATV incidents. This type of publicity has helped stop the problem before enforcement actions were necessary. As of the December, 2002, there have been no enforcement actions in the Sudbury System watershed.

Public Comment: Concerns were raised regarding trespassing and other illegal activities (e.g., dumping, kayaking, trail bikes) around the Sudbury Reservoir.

MDC Response: MDC is aware of these issues and addresses them in the Implementation chapter of the Plan Update.

Public Comment: Public access should be provided to Cedar Swamp so that the public can learn to appreciate this unique resource. While no legal access is allowed, there is currently illegal access taking place, which appears to be difficult to control due to the “checkerboard ownership” in the area.

MDC Response: MDC will re-examine the Cedar Swamp area to determine the balance between limited public access and protection of resource areas. The Plan Update addresses this comment by providing the opportunity for appropriate access through a permit program that could be established with stewardship groups, such as Westborough Community Land Trust.

Public Comment: What wildlife factors were considered in opening up more access at the Sudbury Reservoir?

MDC Response: All proposed additional access areas are occurring in locations with existing trails and roadways. There are no proposals for new, large-scale trail construction. Limited trail improvements that may occur in cooperation with communities or non-profit organizations will be done via agreements that require MDC review and approval. The Plan Update was sent for review to The Natural Heritage & Endangered Species Program, part of the Massachusetts Division of Fisheries and Wildlife, which administers the Threatened and Endangered Species programs.

Public Comment: Creation of more parking spaces will lead to a much greater use of MDC/DWM lands than would be beneficial for water quality.

MDC Response: *The agency agrees that creating large parking areas would make MDC lands more attractive for users from outside the area. MDC/DWM is proposing only small parking areas in locations where access already occurs and/or there is dangerous on-street parking.*

Public Comment: MDC should consider limited biking in areas around the Sudbury Reservoir.

MDC Response: While some existing roadways may be suitable for biking, it is often the case that riders do not limit themselves to those areas and expand onto sensitive areas. At this time MDC cannot support the increased enforcement and maintenance needs this activity would require. It is also uncertain whether there are areas that can support bike activity without impact.

Public Comment: MDC should consider reducing the size of the “no access zone” to a smaller area just around the Dam. This would permit additional recreational benefits on the fire roads in the area north of Route 30.

MDC Response: *The MDC needs to balance protection of the water supply and security of the water system facilities with the desires for more public access. This area proposed in the comment not only provides access closer to the water supply facilities near the dam, but also encompasses a Town of Southborough drinking water well. The “no-access zone” as identified was determined after reviewing the water supply protection and security needs of both water supplies.*

Public Comment: The Plan Update implies the MDC has no intention of retaining any state control over the small amount of open space surrounding the Sudbury Reservoir.

MDC Response: All MDC property is protected under Article 97 of the Massachusetts Constitution. A two-thirds majority vote by the Legislature is required to transfer any land owned in fee by the State to another entity for purposes other than conservation. The Plan Update does not propose the disposition of any MDC lands around the Sudbury Reservoir.

Public Comment: Why was a recreation field built on MDC land in Southborough and how will it impact water quality?

MDC Response: *The Legislature, as the governing body over state owned lands, can make laws on their use. Legislation filed under Chapters 127 of the Acts of 1999 specifically states that “not less than \$200,000 shall be expended for the construction of a multipurpose recreational field on land under the care and control of the metropolitan district commission in the town of Southborough.” The Division of Watershed Management followed this requirement by entering into a Memorandum of Understanding with the Town of Southborough for use of the field. The Town must apply for an annual permit, similar to all other public use permits issued by the Superintendent, to use the fields and provide on-site sanitation facilities.*

Public Comment: How does increased recreational uses and parking areas fit in with the 1997 Plan goals?

MDC Response: *The additional areas in Resource Areas A (Cedar Swamp) and Area B (Sudbury Reservoir) were identified as “future considerations” in the 1997 Sudbury Access Plan. Parking areas were not specifically identified as a major element in the original plan. The Plan Update recognizes parking as a public safety issue.*

Public Comment: What are the pressures for non-recreational use of MDC land abutting the Reservoir?

MDC Response: *The growth of the MetroWest region places enormous development pressures on all existing open space in the region. The MDC/DWM and the Executive Office of Environmental Affairs both have Land Disposition Policies which dictate a process for removing the protected status of MDC land in the Sudbury System. As stated in a previous reply, any land disposition requires an approval by a two-thirds vote of the Legislature.*

Public Comment: Will the MDC sanction uses of its land around the Sudbury Reservoir and Reservoir #3 which will cause water quality to degrade to such a point that these sources cannot be used as a reserve water supply?

MDC Response: No. The MDC believes that the policies in this Plan update, combined with the policies to be presented in the forthcoming Sudbury System Land Management Plan (which covers MDC activities, primarily silviculture, on its own land) provide a management program that adequately protects the water quality in this reserve water supply.

Public Comment: Have ATVs and snowmobiles been a problem in areas where hiking and skiing are now to be allowed? Will legitimizing cross-country skiing around Crane Swamp encourage snowmobile use?

MDC Response: *There has been a long-term problem with illegal motorized access to Sudbury System lands. It is MDC's belief that allowing additional legal uses will provide more "eyes and ears" on its property and thus diminish prohibited activities.*

Public Comment: An inventory of DWM lands in the Sudbury System in order to identify the types and severity of encroachments is a waste of state resources if the MDC cannot manage to even get an illegal dock out of the Reservoir.

MDC Response: A water quality monitoring program has not been implemented due to budgetary constraints. Monitoring of public access will be done through visual inspection of Division lands for signs of recreational impacts, such as erosion and deposition of trash. The MDC, as described in the Implementation chapter of the Plan Update, also hopes to work with volunteers and user groups to assist in such evaluations.